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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,810	07/28/2003	Tsung-Yao Wu	WUTS3003/EM	4346
23364	7590	10/13/2004	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			LUEBKE, RENEE S	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/627,810

Applicant(s)

WU

Examiner

Renee S. Luebke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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1. The disclosure is objected to because of the following informalities:

- It is unclear how the body 30 can be “inserted through the first indentation 230” (page 5, lines 15-16) when the body is significantly larger than the indentation.

- It is unclear how extension 231 can be placed in the recess 232 as required by lines 16-17 of page 5.

- On line 22 of page 5, it appears that “3” (second occurrence) should be changed to -4-.

- It is unclear how the extension 31 is secured “by its elasticity” (as suggested by lines 19-21 of page 5) since there is no structure securing any other part of the contact 3. To bias a coil spring, one end must be secured and the other moved to a biased position. The present invention appears to allow the body 30 of the spring 3 to rotate in the seat 23. (Even if the body were somehow secured, the seat structure of the present invention is the same as that of the prior art, which also therefore would offer the same disengagement prevention.)

- Contrary to page 6, members 25 are not *recessed*. In fact, they appear to project into the groove 22.

Appropriate corrections are required.

2. Claims 1-7 are objected to because of the following informalities:

- In regard to claim 1, as noted above, it is unclear how the electrical contact is “fastened” in the seat. In addition, it is unclear how the first indentation can cause the contact to be fastened as required by the limitations of lines 14-15.

- In regard to claim 2, as noted above, it is unclear how the body is “inserted through the first indentation.”

- Claim 2 lacks antecedent basis for “its elasticity” on line 6.

- On line 2 of claim 4, it appears that “contact” should be plural.

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- In regard to claims 6 and 7, as noted above, there are no “recessed members” at the side of the seat or in the grooves.
- Claim 7 lacks antecedent basis for “the cell grooves” on line 1.
- On the last line of claim 7, it appears that -the- should be inserted after “from”.

Appropriate corrections are required.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

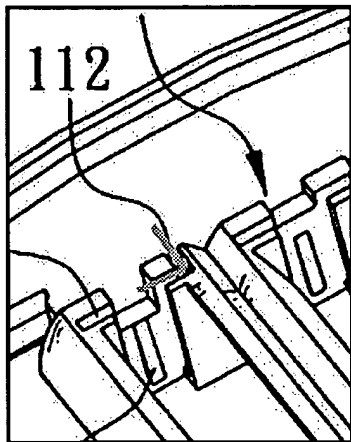
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2 and 4-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant’s cited prior art (Figs. 1, 5A and 5B, and page 2 of the disclosure). This device comprises first openings at the tops of the grooves 10,



a second opening through the outer case (not shown), a well including the grooves, and a seat at each end of each groove. The grooves each are proportioned “so that a plurality of cells can be installed” as claimed. The first seat includes a first indentation 110, an inclined protrusion 111 and an L-shaped hole 112 (as marked in the copy of fig. 1 at left). When held vertically, this L-shaped recess has a vertical hole and a

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horizontal hole. In regard to claims 2, 4 and 5, Figs. 5A and 5B show the claimed contact shapes.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over the cited Prior Art. Although fig. 1 does not show the near end of the grooves, it would have been obvious to include a second seat, located there and having the same structure, because the battery cell needs a second terminal and the springs are well known to perform that function and assist in retaining the cells. As a matter of convenience, it would have been obvious to duplicate the shown seat at the opposite end of the groove.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Wu and Anderson are further examples of L-shaped recesses for spring portions.

8. Any response to this action may be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mrs. Renee Luebke at (571) 272-2009.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (571) 272-2800, extension 33.

A handwritten signature in black ink, appearing to read 'RSL', is positioned above the printed name.

Renee S. Luebke
Primary Patent Examiner
October 5, 2004